

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
PALM BEACH DIVISION**  
Case No.: 9:22-cv-81961-AMC

JONATHAN LEE REIGROD,  
An Individual,

Plaintiff,

v.

GARBER DELRAY INC.,  
d/b/a DELRAY BUICK GMC,  
A Florida Corporation,

Defendant.

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**ATTORNEY DARREN R. NEWHART'S AFFIDAVIT  
IN SUPPORT OF ATTORNEY'S FEES AND COSTS**

Darren R. Newhart states upon his oath and under the penalty of perjury that he is competent to testify and makes this Declaration based upon personal knowledge, and, if called upon to testify, would testify as follows:

1. I submit this declaration to provide the Court with my qualifications in support of the amount of attorney's fees and costs.
2. I received my B.A. from the University of North Florida in 2008.
3. I graduated from St. Thomas University School of Law in 2014 and was admitted to the Florida Bar in 2015.

4. I am admitted to practice in the District Court for the Southern District of Florida, the District Court for the Middle District of Florida, and the Eleventh Circuit Court of Appeals.

5. My practice involves only the representation of consumers under consumer protection statutes.

6. I have litigated hundreds of individual consumer law cases and was co-counsel on several class action consumer law cases in Federal and state court.

7. Specifically, cases involving violations of Truth in Lending Act (“TILA”), THE Florida Consumer Collection Practices Act (“FCCPA”), and the Florida Deceptive and Unfair Trade Practices Act (“FDUTPA”) including:

- *Shore v. JP Morgan Chase Bank, N.A., et al.*, Case No. 16-cv-60125-JIC (S.D. Fla.) (Class Action) (\$400,000 recovery for borrowers as a result of reinstatement quotes).
- *Paneque, Ignacio v. Bank of America, N.A. and Frenkel, Lambert, Weiss, Weisman & Gordon, LLP*, Case No. 16-cv-21212-DPG (S.D. Fla.) (Class Action).
- *Bacardi, Kimberly v. Select Portfolio Servicing, Inc.*, Case No. 16-23381-RNS (S.D. Fla.) (Class Action).
- *Cabrera, Manuel v. Haims Motors, Inc.*, Case No.: 17-CIV-60500-Bloom/Valle (S.D. Fla.) (granting summary judgment under TILA, FCCPA, and the FDUTPA car dealer).

8. I am a member of the National Association of Consumer Advocates (“NACA”).

9. I was on the panel of speakers at NACA’s spring training for consumer protection lawyers:

- *Spotting and Litigating TILA Claims*. National Association of Consumer Advocates Spring Training, June 2020.

10. According to the 2017-2018 United States Consumer Law Attorney Fee Report, the median attorney rate for lawyers in south Florida who handle car cases is \$400.

11. I certify that all of the time entries submitted were required in the prosecution of this claim, and that my time was kept contemporaneously during the course of this claim.

12. I expended 1.9 hours in the prosecution of this claim.

13. In 2018, the Honorable Magistrate Judge Alicia O. Valle for the Southern District of Florida awarded the undersigned \$300 per hour. *Cabrera v. Haims Motors, Inc.*, 17-CV-60500, 2018 WL 2455438, at \*3 (S.D. Fla. June 1, 2018).

14. On July 11, 2021, the Honorable County Court Judge Chiaka Ihekwaba awarded the undersigned a rate of \$400 per hour as a reasonable hourly

rate. Maria Diaz Pizzaro, et al., v. Matrix Auto Sales Inc., et al., 29 Fla. L. Weekly Supp. 340a.

15. Given the above, \$400 is a reasonable hourly rate for the undersigned.

**VERIFICATION**

I, Darren R. Newhart, under penalties of perjury, declare that I have read the foregoing Affidavit and that the facts stated in it are true.



Darren R. Newhart, Esq.  
FL Bar No: 0115546  
E-mail: darren@newhartlegal.com  
NEWHART LEGAL, P.A.  
14611 Southern Blvd.  
Suite 1351  
Loxahatchee, FL 33470  
Telephone: (561) 331-1806  
Facsimile: (561) 473-2946










Dated: February 8, 2023

# EXHIBIT A

## Activities Export

02/08/2023

1:52 PM

Date ▼	Type	Description	Matter	User	Qty	Rate (\$)	Non-billable (\$)	Billable (\$)
01/21/2023		A103 Draft/revise L210 Pleadings: notice of appearance  Unbilled	00246-Reigrod Reigrod v. Delray Buick GMC	Darren Newhart	0.20h	\$400.00	-	\$80.00
01/21/2023		Communication: Subject: NEW SERVICE REQUEST - 9:22-cv-81961-AMC Reigrod v. Delray Buick GMC  Unbilled	00246-Reigrod Reigrod v. Delray Buick GMC	Darren Newhart	0.10h	\$400.00	-	\$40.00
01/20/2023		Communication: Subject: RE: Jonothan Lee Reigrod  Unbilled	00246-Reigrod Reigrod v. Delray Buick GMC	Darren Newhart	0.10h	\$400.00	-	\$40.00
01/19/2023		Communication: Subject: Dealer fees at inception  Unbilled	00246-Reigrod Reigrod v. Delray Buick GMC	Darren Newhart	0.10h	\$400.00	-	\$40.00
01/18/2023		Communication: Subject: RE: Jonathan Lee Reigrod  Unbilled	00246-Reigrod Reigrod v. Delray Buick GMC	Darren Newhart	0.10h	\$400.00	-	\$40.00
12/20/2022		A103 Draft/revise L210 Pleadings: Edit and review complaint  Unbilled	00246-Reigrod Reigrod v. Delray Buick GMC	Darren Newhart	1.00h	\$400.00	-	\$400.00
10/23/2022		Communication: Subject: FINALIZED: Sue Your Dealer - Auto Fraud Retainer - Lease Buyout - Jonathan Reigrod  Unbilled	00246-Reigrod Reigrod v. Delray Buick GMC	Darren Newhart	0.10h	\$400.00	-	\$40.00
10/22/2022		Communication: Subject: REMINDER: ACTION NEEDED: Sue Your Dealer - Auto Fraud	00246-Reigrod Reigrod v. Delray Buick GMC	Darren Newhart	0.10h	\$400.00	-	\$40.00
					<b>1.90h</b>		<b>\$0.00</b> 0.00h	<b>\$760.00</b> 1.90h

# Activities Export

02/08/2023

1:52 PM

Date	Type	Description	Matter	User	Qty	Rate (\$)	Non-billable (\$)	Billable (\$)
		Retainer - Lease Buyout - Jonathan Reigrod ● Unbilled						
10/21/2022	⌵	Communication: Subject: ACTION NEEDED: Sue Your Dealer - Auto Fraud Retainer - Lease Buyout - Jonathan Reigrod ● Unbilled	00246-Reigrod Reigrod v. Delray Buick GMC	Darren Newhart	0.10h	\$400.00	-	\$40.00
					<b>1.90h</b>		<b>\$0.00</b>	<b>\$760.00</b>
							0.00h	1.90h